



Teaching and Higher Education Act 1998

1998 CHAPTER 30

PART I

THE TEACHING PROFESSION

CHAPTER I

THE GENERAL TEACHING [F¹COUNCIL FOR WALES]

Textual Amendments

- F1** Words in Pt. I Ch. I heading substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 2 para. 2](#); [S.I. 2012/924](#), art. 2

The General Teaching Council for Wales: aims and constitution

F²1 Aims and constitution of the Council

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Textual Amendments

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), art. 3(x) (with art. 4)

Functions of the General Teaching Council for Wales

F²2 Advisory functions of the Council.

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Status: This version of this part contains provisions that are prospective.

Changes to legislation: Teaching and Higher Education Act 1998, Part I is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

F23 Registration of teachers.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

F24 Regulations relating to registration.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

F24A Appeals against refusal of registration

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

F25 Code of practice for registered teachers.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

F26 Disciplinary powers of Council in relation to registered teachers.

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Status: This version of this part contains provisions that are prospective.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

F26A Power to promote teaching profession

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

F27 Additional and ancillary functions of Council.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

Establishment of The General Teaching Council for Wales

F28 Establishment of The General Teaching Council for Wales.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

Functions of the General Teaching Council for Wales

F29 Functions of General Teaching Council for Wales: general.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); [S.I. 2015/29](#), [art. 3\(x\)](#) (with [art. 4](#))

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F2¹⁰ Further functions of General Teaching Council for Wales in relation to teachers.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)

Supplementary

F2¹¹ Registration requirement for teachers at schools.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)

F2¹² Deduction of fees from salaries, etc.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)

F2¹³ Consultation about qualified teacher status.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)

F2¹⁴ Supply of information relating to teachers: general.

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Textual Amendments

F2 Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; [S.I. 2015/29](#), art. 3(x) (with art. 4)

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F²15 Supply of information following dismissal, resignation, &c.

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Textual Amendments

- F2** Ss. 1-15 repealed (W.) (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), **Sch. 3 para. 3**; S.I. 2015/29, art. 3(x) (with art. 4)

[F³15A Supply of information by contractor, agency, &c.

- (1) This section applies to arrangements made by one person (the “agent”) for [F⁴a registered teacher (the “teacher”)] to carry out work at the request of or with the consent of a relevant employer (whether or not under a contract).
- (2) [F⁵Subsection (4) applies] where an agent—
 - (a) has terminated the arrangements on a ground mentioned in [F⁶section 15(1A)],
 - (b) might have terminated the arrangements on a ground mentioned in that [F⁷subsection] if the worker had not terminated them, or
 - (c) might have refrained from making new arrangements for a [F⁸teacher] on a ground mentioned in that [F⁹subsection] if he had not ceased to make himself available for work.

F¹⁰(3)

- (4) F¹¹... The agent shall provide prescribed information to [F¹²the Council].

F¹³(5)

- (6) If the National Assembly thinks that an agent has failed or is likely to fail to comply with a duty arising under subsection (4), the National Assembly may direct the person to comply with the duty.

F¹⁴(7)

- (8) A direction under subsection (6) shall be enforceable, on the application of the National Assembly, by a mandatory order.

- (9) [F¹⁵Subsection] (5) of section 15 shall apply for the purposes of this section as [F¹⁶it applies] for the purposes of that section.]

Textual Amendments

- F3** Ss. 15, 15A substituted for s. 15 (31.3.2003 for W. and 1.6.2003 for E.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 21 para. 83** (with ss. 210(8), 214(4)); S.I. 2002/3185, art. 5, Sch. Pt. II; S.I. 2003/1115, art. 3
- F4** Words in s. 15A(1) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), s. 65, **Sch. 9 para. 6(2)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F5** Words in s. 15A(2) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 2 para. 12(a)**; S.I. 2012/924, art. 2
- F6** Words in s. 15A(2)(a) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#), s. 65, **Sch. 9 para. 6(3)(a)** (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)

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- F7** Word in s. 15A(2)(b) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(3\)\(b\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F8** Word in s. 15A(2)(c) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(3\)\(c\)\(i\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F9** Word in s. 15A(2)(c) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(3\)\(c\)\(ii\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F10** S. 15A(3) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(b\)](#); S.I. 2012/924, art. 2
- F11** Words in s. 15A(4) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(c\)\(i\)](#); S.I. 2012/924, art. 2
- F12** Words in s. 15A(4) substituted (1.4.2012) by [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(c\)\(ii\)](#); S.I. 2012/924, art. 2
- F13** S. 15A(5) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(b\)](#); S.I. 2012/924, art. 2
- F14** S. 15A(7) omitted (1.4.2012) by virtue of [Education Act 2011 \(c. 21\), s. 82\(3\), Sch. 2 para. 12\(b\)](#); S.I. 2012/924, art. 2
- F15** Word in s. 15A(9) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(6\)\(a\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)
- F16** Words in s. 15A(9) substituted (17.12.2008 for E. for specified purposes) by [Safeguarding Vulnerable Groups Act 2006 \(c. 47\), s. 65, Sch. 9 para. 6\(6\)\(b\)](#) (with ss. 51, 57(3), 60(4), 64(5)); S.I. 2008/3204, art. 2(b)(iv)

The General Teaching Council for Scotland

^{F17}16 Duty to have regard to needs of disabled persons.

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Textual Amendments

- F17** S. 16 repealed (2.4.2012) by [The Public Services Reform \(General Teaching Council for Scotland\) Order 2011 \(S.S.I. 2011/215\), art. 2, sch. 7](#)

^{F18}17 Representation of special educational needs teachers on General Teaching Council for Scotland.

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Textual Amendments

- F18** S. 17 repealed (2.4.2012) by [The Public Services Reform \(General Teaching Council for Scotland\) Order 2011 \(S.S.I. 2011/215\), art. 2, sch. 7](#)

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PROSPECTIVE

CHAPTER II

HEAD TEACHERS

^{F19}18 Qualifications of head teachers.

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Textual Amendments

F19 S. 18 repealed (1.10.2003 for E.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 21 para. 84](#), [Sch. 22 Pt. 3](#) (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 5

CHAPTER III

TEACHER TRAINING

Induction periods [^{F20}: teachers in Wales]

Textual Amendments

F20 Words in s. 19 cross-heading inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 2 para. 13](#); S.I. 2012/924, art. 2

^{F21}19 Requirement to serve induction period.

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Textual Amendments

F21 S. 19 repealed (1.4.2015) by [Education \(Wales\) Act 2014 \(anaw 5\)](#), s. 50(4), [Sch. 3 para. 3](#); S.I. 2015/29, art. 3(x) (with art. 4)

Inspection of teacher training institutions

^{F22}20 Inspection of institutions training teachers for schools.

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Textual Amendments

F22 S. 20 repealed (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 125(3)(b), [Sch. 19 Pt. 3](#)

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21 Inspection of institutions training teachers for schools: Scotland.

In section 66 of the ^{M1}Education (Scotland) Act 1980 (inspection of educational establishments), after subsection (1A) there shall be inserted—

“(1B) Notwithstanding subsection (1) above, the Secretary of State shall have power to cause inspection to be made of the education and training, wherever it is carried out, provided by institutions within the higher education sector (within the meaning of the ^{M2}Further and Higher Education (Scotland) Act 1992) wholly or mainly for persons preparing to be, or persons who are, teachers in schools, and such inspections shall be made by Her Majesty’s Inspectors or other persons appointed by the Secretary of State for the purpose.”

Marginal Citations

M1 1980 c. 44.

M2 1992 c. 37.

Status:

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Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(4A)(4B) inserted by [2017 c. 29 s. 86\(4\)](#)
- s. 22(5)(ea) inserted by [2017 c. 29 s. 86\(5\)\(d\)](#)
- s. 22(11) inserted by [2017 c. 29 s. 86\(7\)](#)
- s. 28A inserted by [2022 c. 21 s. 15\(1\)](#)